

ORIGINAL

COMMISSIONERS
KRISTIN K. MAYES - Chairman
GARY PIERCE
PAUL NEWMAN
SANDRA D. KENNEDY
BOB STUMP



0000114547



ARIZONA CORPORATION COMMISSION

June 18, 2010

Mr. Richard Lockwood
Baca Float Water Company
Post Office Box 1536
Tubac, Arizona 85646

Re: Staff's First Set of Data Requests to Baca Float Water Company
Docket No. WS-01678A-09-0376

Dear Mr. Lockwood:

Please treat this as Staff's First Set of Data Requests to Baca Float Water Company in the above matter.

For purposes of this data request set, the words "Company," "you," and "your" refer to Baca Float Water Company and any representative, including every person and/or entity acting with, under the control of, or on behalf of Baca Float Water Company. For each answer, please identify by name, title, and address each person providing information that forms the basis for the response provided.

These data requests are continuing, and your answers or any documents supplied in response to these data requests should be supplemented with any additional information or documents that come to your attention after you have provided your initial responses.

Please respond within **ten** calendar days of your receipt of the copy of this letter. However, if you require additional time, please let us know.

Please provide one hard copy as well as searchable DOC, EXCEL or files via email or electronic media of the requested data directly to each of the following addressees via overnight delivery services to:

- (1) Darak R. Eaddy, Utilities Division, Arizona Corporation Commission, 1200 West Washington Street, Phoenix, Arizona 85007, deaddy@azcc.gov.
- (2) Wesley C. Van Cleve, Staff Counsel, Legal Division, Arizona Corporation Commission, 1200 West Washington Street, Phoenix, Arizona 85007, wvancleve@azcc.gov.

Arizona Corporation Commission

DOCKETED

JUL 16 2010

DOCKETED BY	
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Sincerely,

Wesley C. Van Cleve, Staff Counsel
Legal Division
(602) 542-3402

WVC:rbo
Enclosure

Response

ERNEST G. JOHNSON
Executive Director

AZ CORP COMMISSION
DOCKET CONTROL

2010 JUL 16 P 3:39

RECEIVED

Snell & Wilmer
— L.L.P. —
LAW OFFICES

One Arizona Center
400 East Van Buren Street
Suite 1900
Phoenix, Arizona 85004-2202
602.382.6000
602.382.6070 (Fax)
www.swlaw.com

Jeffrey W. Crockett
602.382.6234
jcrockett@swlaw.com

DENVER
LAS VEGAS
LOS ANGELES
LOS CABOS
ORANGE COUNTY
PHOENIX
SALT LAKE CITY
TUCSON

July 13, 2010

Gary Brasher, President
BACA FLOAT WATER COMPANY, INC.
P.O. Box 1536
Tubac, Arizona 85646

Re: Baca Float Tariff Revision Approved Effective January 10, 1997

Dear Gary:

As you requested, the following is a summary regarding the tariff filing that was approved by the Arizona Corporation Commission ("Commission") effective January 10, 1997, which authorized the current rates and charges for Baca Float Water Company, Inc. ("BFWC" or the "Company"). As you no doubt recall, on December 10, 1996, I docketed a request with the Commission for approval of: (i) revised rates and charges for BFWC, as set forth in an attached amended tariff schedule; and (ii) a curtailment plan tariff. The revised tariff schedule and the new curtailment plan tariff were assigned Docket No. W-01678A-96-0602. A copy of my December 10, 1996, tariff filing is attached to this letter as Tab 1. I provided a copy of the tariff schedules to BFWC immediately following the filing, and the Company kept a copy of the tariff schedules available for public inspection.

Shortly after filing the revised tariff schedule, I met with Randy Sable, a former chief accountant with the Commission, to discuss the tariff schedule. I explained to Mr. Sable that BFWC had obtained its CC&N from the Commission in Decision 32233 on May 31, 1960, which is the same decision that approved the utility's initial rates and charges. I further explained that up until the date of my filing in December 1996, BFWC had not served any customers, but that the Company was anticipating commencing service to customers in 1997. Since the approved initial rates were nearly 30 years old, and since BFWC had not yet started serving customers, I told Mr. Sable that the Company was requesting that the Commission approve updated rates and charges. Following our meeting, Mr. Sable reported back to me that the Commission did not have any opposition to the proposed updated tariff schedule.

In a letter dated January 23, 1997, a copy of which is attached to this letter as Tab 2, Lori Miller of the Commission's Utilities Division transmitted to you a stamped copy of the revised tariff schedule and curtailment plan tariff that became effective by operation of law on January

Gary Brasher, President
July 13, 2010
Page 2

10, 1997. A copy of Ms. Miller's letter was filed with Docket Control on January 24, 1997. In a memo from Lori Miller to Carmen Madrid dated August 14, 1998, a copy of which is attached to this letter as Tab 3, Ms. Miller stated that the new tariff became effective by operation of law on January 10, 1997, and that Docket W-01678A-96-0602 should be administratively closed. Thereafter, on February 19, 1999, Docket Control filed Administrative Closure No. 61523 stating that the tariff became effective on January 10, 1997, and that the docket was being officially closed. A copy of administrative closure is attached to this letter as Tab 4.

Arizona Revised Statutes § 40-367(A) and (B) provides as follows:

A. No change shall be made by any public service corporation in any rate, fare, toll, rental, charge or classification, or in any rule, regulation or contract relating to or affecting any rate, toll, fare, rental, charge, classification or service, or in any privilege or facility, except after thirty days notice to the commission and to the public as provided in this chapter.

B. Notice shall be given by filing with the commission and keeping open for public inspection new schedules stating plainly the change to be made in the schedules then in force, and the time when the change will go into effect.

The revised tariff schedule filed with Docket Control on December 10, 1996, and approved by the Commission effective as of January 10, 1997, was approved in accordance with A.R.S. § 40-367. Notice of the revised tariff was provided in accordance with A.R.S. § 40-367(B) by filing the tariff with Docket Control, and by keeping open for public inspection a copy of the revised new tariff at the Company's place of business. The revised tariff became effective after 30 days notice to the Commission and the public, in accordance with § 40-367(A).

Very truly yours,

SNELL & WILMER



Jeffrey W. Crockett

JWC:gdb

TAB 1

Snell & Wilmer
LAW OFFICES

One Arizona Center
Phoenix, Arizona 85004-0001
(602) 382-6000
Fax: (602) 382-6070

Jeffrey W. Crockett (602) 382-6234

**A.C.C. DOCKET CONTROL
RECEIVED**

DEC 10 1996

**DOCUMENTS ARE SUBJECT TO
REVIEW BEFORE ACCEPTANCE
AS A DOCKETED ITEM.**

PHOENIX, ARIZONA

TUCSON, ARIZONA

IRVINE, CALIFORNIA

SALT LAKE CITY, UTAH

December 10, 1996
HAND DELIVERED

Ms. Carmen Madrid, Docket Control
ARIZONA CORPORATION COMMISSION
1200 West Washington
Phoenix, AZ 85007

RE: Baca Float Water Company Tariffs

Dear Carmen:

I represent the Baca Float Water Company ("Company"). The Company was certificated by the Arizona Corporation Commission in Decision No. 32233 (May 31, 1960) to provide water service to customers located in the vicinity of the Town of Tubac, Santa Cruz County, Arizona. Although the Company has not previously served any customers, the Company anticipates that it will commence serving customers in 1997, and that it will add new customers during each of the next five years, as follows:

<u>Year:</u>	<u>New Customers:</u>
1997	130
1998	70
1999	180
2000	120
2001	<u>150</u>
TOTAL	650

Enclosed is an original and ten (10) copies of a revised Tariff Schedule for the Baca Float Water Company. Also enclosed is an original and ten (10) copies of the Company's proposed new Cross-Connection and Backflow Tariff. The purpose of the latter tariff is to protect Baca Float Water Company from the possibility of contamination caused by the backflow of contaminants that may be present on a customer's premises.

Crocketj\PHX\229331.1

Snell & Wilmer

Ms. Carmen Madrid
December 10, 1996
Page 2

As always, please contact me at the direct line listed above if you have any questions.

Sincerely,

SNELL & WILMER L.L.P.



Jeffrey W. Crockett

JWC:gdb

Enclosures

cc: Gary Yaquinto, Director, Utilities Division
Randy Sable, Chief Accountant, Accounting & Rates Section
Gary Brasher, Baca Float Water Company

TARIFF SCHEDULE

UTILITY: BACA FLOAT WATER COMPANY, INC.
DOCKET NO.: U-1678
TELEPHONE: 520-398-2506

TARIFF SHEET NO. 1
REPLACES SHEET NO. 1
DECISION NO. _____
EFFECTIVE _____

RATES & CHARGES

MONTHLY SERVICE RATE (APPLICABLE FOR ALL METER SIZES):

BASIC MONTHLY RATE: \$15.00

GALLONS INCLUDED IN BASIC RATE: None

COMMODITY CHARGE:

\$1.75 PER 1,000 GALLONS FOR 0 TO 5,000 GALLONS

\$2.30 PER 1,000 GALLONS IN EXCESS OF 5,000 GALLONS

SERVICE LINE & METER INSTALLATION CHARGES:

5/8 x 3/4" ...	\$ 360	2"	\$ 1.100
3/4"	\$ 400	3"	\$ 1.550
1"	\$ 460	4"	\$ 2.450
1-1/2"	\$ 675	6"	\$ 4.700

SERVICE CHARGES:

ESTABLISHMENT	\$20
RE-ESTABLISHMENT WITHIN 12 MONTHS	\$25
ESTABLISHMENT AFTER HOURS	\$30
RE-CONNECTION (DELINQUENT)	\$30
NSF CHECK	\$12
DEFERRED PAYMENT	1.5 % per month
INTEREST ON PAST DUE BALANCE	1.5 % per month
METER TEST (IF CORRECT)	\$30
METER RE-READ (IF CORRECT)	\$10
DEPOSIT	Per A.A.C. R14-2-403(B)(7)
DEPOSIT INTEREST	Per A.A.C. R14-2-403(B)(3)

OTHER CHARGES AS SPECIFIED BY ORDER:

IN ADDITION TO THE COLLECTION OF ITS REGULAR RATES AND CHARGES, THE COMPANY SHALL COLLECT FROM ITS CUSTOMERS THEIR PROPORTIONATE SHARE OF ANY PRIVILEGE, SALES OR USE TAX IN ACCORDANCE WITH A.A.C. R14-2-409(D)(5).

Company Name: BACA FLOAT WATER COMPANY, INC.
DOCKET NO. U-1678

Page 1 of 2

CROSS-CONNECTION OR BACKFLOW TARIFF

PURPOSE:

The purpose of this tariff is to protect BACA FLOAT WATER COMPANY, INC. (Company) water from the possibility of contamination caused by the backflow of contaminants that may be present on the customer's premises by requiring the installation and periodic testing of backflow-prevention assemblies pursuant to the provisions of the Arizona Administrative Code (A.A.C.) R14-2-405.B.6 and A.A.C. R18-4-115.

REQUIREMENTS:

In compliance with the Rules of the Arizona Corporation Commission (Commission) and the Arizona Department of Environmental Quality (ADEQ), specifically A.A.C. R14-2-405.B.6 and A.A.C. R18-4-115 relating to backflow prevention:

1. The Company may require a customer to pay for and to have installed a backflow-prevention assembly if A.A.C. R18-4-115.B or C applies.
2. A backflow-prevention assembly required to be installed by the customer under Paragraph 1 of this tariff shall comply with the requirements set forth in A.A.C. R18-4-115.D and E.
3. Subject to the provisions of A.A.C. R14-2-407 and 410, and in accordance with paragraphs 1 and 7 of this tariff, the Company may terminate service or may deny service to a customer who fails to install a backflow-prevention assembly as required by this tariff.
4. The Company shall give any existing customer who is required to install a backflow-prevention assembly written notice of said requirement. If A.A.C. R14-2-410.B.1.a. is not applicable, the customer shall be given thirty (30) days in which to comply with this notice. If the customer can show good cause as to why he cannot install the device within thirty (30) days, the Company or Commission Staff may suspend this requirement for a reasonable period of time.

**** FOR OFFICIAL USE ONLY****

Effective Date: _____

Company Name: BACA FLOAT WATER COMPANY, INC.
DOCKET NO. U-1678

Page 2 of 2

5. Testing shall be in conformance with the requirements of A.A.C. R18-4-115.F. The Company may require the customer to pay to have the backflow-prevention assembly tested as long as the Company does not require an unreasonable number of tests. The Company may also require the customer to pay for repairs to a backflow-prevention assembly.
6. The customer shall provide the Company with records of installation and testing. For each backflow-prevention assembly, these records shall include:
 - a. assembly identification number and description;
 - b. location;
 - c. date(s) of test(s);
 - d. description of repairs and recommendations for repairs made by tester; and
 - e. the tester's name and certificate number.
- 7A. In the event the backflow-prevention assembly does not function properly or fails any test, and a hazard as contemplated under A.A.C. R14-2-410.B.1.a. exists, the Company may terminate service immediately and without notice. The backflow-prevention assembly shall be repaired or replaced by the customer and retested before service is restored.
- 7B. In the event the backflow-prevention assembly does not function properly or fails any test, or in the event that a customer fails to comply with the testing requirement, and A.A.C. R14-2-410.B.1.a. is not applicable, the backflow-prevention assembly shall be repaired or replaced within fourteen (14) days of the initial discovery of the deficiency in the assembly or its function. Failure to remedy the deficiency or disfunction of the assembly, or failure to retest, shall be grounds for termination of water service in accordance with A.A.C. R14-2-410.

**** FOR OFFICIAL USE ONLY****

Effective Date: _____

TAB 2

DO NOT WRITE
IN THESE
SPACES

ARIZONA CORPORATION COMMISSION

January 23, 1997

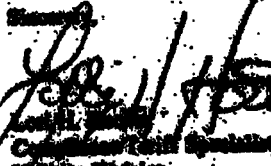
Mr. Gary Barker
Buck Float Water Company
Post Office Box 4241
Tucson, Arizona 85746

RE: BACA FLOAT WATER COMPANY
DOCKET NO. U-1678-96-602

Dear Mr. Barker:

Enclosed is a stamped copy of the tariff that became effective by operation of law on January 18, 1997.

If you have questions regarding the filing of this tariff, please contact me at (520) 342-4251. By copy of this letter, the Docket Control Center is instructed to administratively close Docket No. U-1678-96-602.

Respectfully,

David J. Barker
Commissioner/Tariff Specialist
Utilities Division

cc:

Enclosure

cc: Docket Control Center ✓

DOCUMENT CONTROL

ARIZONA CORPORATION COMMISSION

1200 N. 1ST AVENUE, SUITE 100, TUCSON, AZ 85724

TAB 3

MEMORANDUM

RECEIVED
AZ CORP COMMUNICATION

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AUG 14 11 34 AM '98

DOCKET CONTROL

TO: Carmen Madrid
Administrative Assistant II
Docket Control Center

FROM: Lori H. Hoover
Tariff Administrator
Utilities Division

DATE: August 14, 1998

RE: BACA FLOAT WATER COMPANY, INC. (DOCKET NO. W-01678A-96-0602)

The above referenced matter became effective by operation of law on January 10, 1997; therefore, the matter should be administratively closed.

Should you have any questions concerning the above, please contact me at your earliest convenience.

/lhh

TAB 4

BEFORE THE ARIZONA CORPORATION COMMISSION

JIM IRVIN
Commissioner - Chairman
TONY WEST
Commissioner
CARL J. KUNASEK
Commissioner

Arizona Corporation Commission
DOCKETED

FEB 11 1999

DOCKETED BY

10

IN THE MATTER APPLICATION OF
BACA FLOAT WATER COMPANY.
FOR APPROVAL OF A
CROSS-CONNECTION TARIFF.

DOCKET NO. W-01678A-96-0602

ADMINISTRATIVE CLOSURE

NUMBER 61523

A request to close the above-referenced matter was filed on August 14, 1998, by Lori Hoover, Tariff Administrator for the Utilities Division. By memo, this tariff became effective by operation of law on January 10, 1997.

An Administrative Closure Number has been assigned to this matter which officially closes the docket. This is not a signed order of the Commission and is for record keeping purposes only.

If you have any questions regarding this matter, please contact the Docket Control Center at (602) 542-3477.

Administrative Closure Number issued
On this 17th day of February 1999.

Carmen Madrid
Carmen Madrid
Administrative Assistant II
Utilities Division

1 A copy of the foregoing Administrative closure was mailed to the following by the

2 Docket Control Center on February 19, 1999.

3
4 BACA FLOAT WATER COMPANY
5 P.O. Box 4241.
6 Tubac, Arizona 85646-0000

7 Ray Williamson, Acting Director
8 Utilities Division
9 1200 West Washington
10 Phoenix, Arizona 85007

11 Paul Bullis, Chief Legal Counsel
12 Legal Division
13 1200 West Washington
14 Phoenix, Arizona 85007

15 Jerry Rudibaugh, Chief Hearing Officer
16 Hearing Division
17 1200 West Washington
18 Phoenix, Arizona 85007

19 By: Nancy Cole

20
21
22
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Decision No. 61523

MEMORANDUM

RECEIVED
AZ CORP COMMISSION

20

TO: Carmen Madrid
Administrative Assistant II
Docket Control Center

AUG 14 11 34 AM '98

DOCUMENT CONTROL

FROM: Lori H. Hoover
Tariff Administrator
Utilities Division

DATE: August 14, 1998

RE: BACA FLOAT WATER COMPANY, INC. (DOCKET NO. W-01678A-96-0602)

The above referenced matter became effective by operation of law on January 10, 1997; therefore, the matter should be administratively closed.

Should you have any questions concerning the above, please contact me at your earliest convenience.

/lhh